

104TH CONGRESS
2D SESSION

S. 1940

To authorize appropriations for the preservation and restoration of historic buildings at historically black colleges and universities.

IN THE SENATE OF THE UNITED STATES

JULY 10, 1996

Mr. FRIST (for himself, Mr. THOMPSON, and Ms. MOSELEY-BRAUN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To authorize appropriations for the preservation and restoration of historic buildings at historically black colleges and universities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DEFINITIONS.**

4 In this Act:

5 (1) HISTORICALLY BLACK COLLEGE OR UNI-
6 VERSITY.—The term “historically black college or
7 university” means a part B institution (as defined in
8 section 322 of the Higher Education Act of 1965
9 (20 U.S.C. 1061)).

1 (2) HISTORIC BUILDING OR STRUCTURE.—The
 2 term “historic building or structure” means a build-
 3 ing or structure listed on the National Register of
 4 Historic Places or designated as a national historic
 5 landmark.

6 (3) SECRETARY.—The term “Secretary” means
 7 the Secretary of the Interior.

8 **TITLE I—HISTORICALLY BLACK**
 9 **COLLEGES AND UNIVER-**
 10 **SITIES HISTORIC BUILDING**
 11 **RESTORATION AND PRESER-**
 12 **VATION**

13 **SEC. 101. SHORT TITLE.**

14 This title may be cited as the “Historically Black Col-
 15 leges and Universities Historic Building Restoration and
 16 Preservation Act”.

17 **SEC. 102. FINDINGS.**

18 Congress finds that—

19 (1) the Nation’s historically black colleges and
 20 universities have contributed significantly to the ef-
 21 fort to attain equal opportunity through postsecond-
 22 ary education for African-American, low-income, and
 23 educationally disadvantaged Americans;

24 (2) over our Nation’s history, States and the
 25 Federal Government have discriminated in the allo-

1 cation of land and financial resources to support his-
 2 torically black colleges and universities, forcing his-
 3 torically black colleges and universities to rely on the
 4 generous support of private individuals and chari-
 5 table organizations;

6 (3) the development of sources of private and
 7 charitable financial support for historically black col-
 8 leges and universities has resulted in buildings and
 9 structures of historic importance and architecturally
 10 unique design on the campuses of those historically
 11 black colleges and universities; and

12 (4) many of the buildings and structures are
 13 national treasures worthy of preservation and res-
 14 toration for future generations of Americans and for
 15 the students and faculty of historically black colleges
 16 and universities.

17 **SEC. 103. PRESERVATION AND RESTORATION GRANTS FOR**
 18 **HISTORIC BUILDINGS AND STRUCTURES AT**
 19 **HISTORICALLY BLACK COLLEGES AND UNI-**
 20 **VERSITIES.**

21 (a) AUTHORITY TO MAKE GRANTS.—

22 (1) IN GENERAL.—The Secretary shall make
 23 grants in accordance with this section to historically
 24 black colleges and universities for the preservation
 25 and restoration of historic buildings and structures

1 on the campuses of the historically black colleges
2 and universities.

3 (2) SOURCE OF FUNDING.—Subject to the
4 availability of appropriations, grants under para-
5 graph (1) shall be made out of amounts authorized
6 to be appropriated to carry out the National Historic
7 Preservation Act (16 U.S.C. 470 et seq.) for fiscal
8 years 1996 through 1999.

9 (b) GRANT CONDITIONS.—Grants made under sub-
10 section (a) shall be subject to the condition that the grant-
11 ee covenant, for the period of time specified by the Sec-
12 retary, that—

13 (1) no alteration will be made in the property
14 with respect to which the grant is made without the
15 concurrence of the Secretary; and

16 (2) reasonable public access to the property
17 with respect to which the grant is made will be per-
18 mitted by the grantee for interpretive and edu-
19 cational purposes.

20 (c) MATCHING REQUIREMENT FOR BUILDINGS AND
21 STRUCTURES LISTED ON THE NATIONAL REGISTER OF
22 HISTORIC PLACES.—

23 (1) IN GENERAL.—Except as provided by para-
24 graph (2), the Secretary may obligate funds made
25 available under this section for a grant with respect

1 to a building or structure listed on the National
 2 Register of Historic Places only if the grantee agrees
 3 to match, from funds derived from non-Federal
 4 sources, the amount of the grant with an amount
 5 that is equal or greater than the grant.

6 (2) WAIVER.—The Secretary may waive para-
 7 graph (1) with respect to a grant if the Secretary
 8 determines from circumstances that an extreme
 9 emergency exists or that a waiver is in the public in-
 10 terest to ensure the preservation of historically sig-
 11 nificant resources.

12 (d) FUNDING PROVISIONS.—

13 (1) AMOUNTS TO BE MADE AVAILABLE.—Not
 14 more than \$20,000,000 for fiscal year 1995 and not
 15 more than \$15,000,000 for each of the fiscal years
 16 1996, 1997, and 1998 may be made available under
 17 this section.

18 (2) ALLOCATIONS FOR FISCAL YEAR 1995.—

19 (A) IN GENERAL.—Of the amounts made
 20 available under this section for fiscal year
 21 1995—

22 (i) \$5,000,000 shall be available only
 23 for grants under subsection (a) to Fisk
 24 University; and

1 (ii) \$10,000,000 shall be available
 2 only for grants under subsection (a) to the
 3 historically black colleges and universities
 4 identified for inclusion in the Department
 5 of the Interior Historically Black College
 6 and University Historic Preservation Ini-
 7 tiative.

8 (B) LESS THAN \$20,000,000 AVAILABLE.—If
 9 less than \$20,000,000 is made available for fis-
 10 cal year 1995 for the purpose of subparagraph
 11 (A), the amount that is made available shall be
 12 allocated as follows:

13 (i) 25 percent shall be made available
 14 as provided in subparagraph (A)(i).

15 (ii) 50 percent shall be made available
 16 as provided in subparagraph (A)(ii).

17 (iii) 25 percent shall be made avail-
 18 able for grants under subsection (a) to
 19 other eligible historically black colleges and
 20 universities.

21 (e) REGULATIONS.—The Secretary shall issue such
 22 regulations as are necessary to carry out this title.

1 **TITLE II—COOPER HALL AND**
 2 **SCIENCE HALL PRESERVA-**
 3 **TION AND RESTORATION**

4 **SEC. 201. AUTHORITY TO MAKE GRANTS.**

5 (a) IN GENERAL.—The Secretary shall make grants
 6 in accordance with this title to preserve and restore—

7 (1) Cooper Hall, Sterling College, Sterling,
 8 Kansas; and

9 (2) Science Hall, Simpson College, Indianola,
 10 Iowa.

11 (b) SOURCE OF FUNDING.—Subject to the availabil-
 12 ity of appropriations, grants under subsection (a) shall be
 13 made out of amounts authorized to be appropriated to
 14 carry out the National Historic Preservation Act (16
 15 U.S.C. 470 et seq.).

16 **SEC. 202. MATCHING REQUIREMENT.**

17 The Secretary may obligate funds made available
 18 under this title only if the grantee agrees to match, from
 19 funds derived from non-Federal sources, the amount of
 20 the grant with an amount that is equal or greater than
 21 the grant.

22 **SEC. 203. FUNDING PROVISIONS.**

23 Not more than \$3,600,000 may be made available for
 24 grants for Cooper Hall and not more than \$1,500,000

- 1 may be made available for grants for Science Hall under
- 2 this title.

